

January 26, 2001

To Vendors of Generally Licensed Devices:

In a letter dated August 12, 1999, you were informed of a new rule that would affect your customers. That rule amended Nuclear Regulatory Commission (NRC) requirements for general licensees possessing devices pursuant to Title 10, Section 31.5, of the Code of Federal Regulations (10 CFR 31.5). The rule went into effect October 4, 1999, and required NRC general licensees to respond to NRC requests for information. The letter dated August 12, 1999, also described a proposed rule that would require the registration of certain generally licensed devices. The purpose of the rule changes described in the letter was to improve the control of generally licensed devices.

The previously proposed rule has now been finalized, and was published in the Federal Register on December 18, 2000. This new rule will be effective on February 16, 2001. The new rule reflects stakeholder comments on the previously described proposed rule. Two important aspects of the new rule are the creation of a registration program for certain of the generally licensed devices covered by 10 CFR 31.5, and the requirement that vendors provide additional information to prospective purchasers prior to transfer of the devices. While the new rule will apply only to NRC licensees, Agreement States will be adopting similar rules as a matter of compatibility. In addition to the new rule, a change has been made to the NRC's Enforcement Policy that will require the imposition of civil penalties for the loss, abandonment, or improper disposal of a source from a generally licensed device. The NRC believes that these changes will ensure that appropriate control of generally licensed devices is maintained.

Enclosure 1 is the December 18, 2000, Federal Register Notice containing the newly finalized rule for your information. Enclosure 2 is the Notice of the revised NRC's Enforcement Policy. To assist you in complying with the requirement to provide information prior to the transfer of a device, we have compiled the applicable information and it is attached as Enclosure 3. The final two enclosures are guidance from NUREG-1556, "Consolidated Guidance About Materials Licenses," Volume 16, which may help NRC general licensees understand both existing and new requirements pertaining to them.

This information is also being provided to current NRC general licensees that will be affected by this rule. It will also be available on the NRC's website at: [www.nrc.gov/NMSS/IMNS/gl.html](http://www.nrc.gov/NMSS/IMNS/gl.html) in the near future.

Sincerely,  
**/RA/**Frederick Brown for John Hickey  
John W. N. Hickey, Chief  
Materials Safety and Inspection Branch  
Division of Industrial and  
Medical Nuclear Safety  
Office of Nuclear Material Safety  
and Safeguards

Enclosures: Federal Register Notice, 65 FRN 79162, regarding new rules  
Federal Register Notice, 65 FRN 79139, regarding enforcement policy  
Primary regulations applicable to users of 10 CFR 31.5 devices  
Guidance for 10 CFR 31.5 General Licensees  
Guidance on Self-Luminous Exits (Q&As)

In a letter dated August 12, 1999, you were informed of a new rule that would affect your customers. That rule amended Nuclear Regulatory Commission (NRC) requirements for general licensees possessing devices pursuant to Title 10, Section 31.5, of the Code of Federal Regulations (10 CFR 31.5). The rule went into effect October 4, 1999, and required NRC general licensees to respond to NRC requests for information. The letter dated August 12, 1999, also described a proposed rule that would require the registration of certain generally licensed devices. The purpose of the rule changes described in the letter was to improve the control of generally licensed devices.

The previously proposed rule has now been finalized, and was published in the Federal Register on December 18, 2000. This new rule will be effective on February 16, 2001. The new rule reflects stakeholder comments on the previously described proposed rule. Two important aspects of the new rule are the creation of a registration program for certain of the generally licensed devices covered by 10 CFR 31.5, and the requirement that vendors provide additional information to prospective purchasers prior to transfer of the devices. While the new rule will apply only to NRC licensees, Agreement States will be adopting similar rules as a matter of compatibility. In addition to the new rule, a change has been made to the NRC's Enforcement Policy that will require the imposition of civil penalties for the loss, abandonment, or improper disposal of a source from a generally licensed device. The NRC believes that these changes will ensure that appropriate control of generally licensed devices is maintained.

Enclosure 1 is the December 18, 2000, Federal Register Notice containing the newly finalized rule for your information. Enclosure 2 is the Notice of the revised NRC's Enforcement Policy. To assist you in complying with the requirement to provide information prior to the transfer of a device, we have compiled the applicable information and it is attached as Enclosure 3. The final two enclosures are guidance from NUREG-1556, "Consolidated Guidance About Materials Licenses," Volume 16, which may help NRC general licensees understand both existing and new requirements pertaining to them.

This information is also being provided to current NRC general licensees that will be affected by this rule. It will also be available on the NRC's website at: [www.nrc.gov/NMSS/IMNS/gi.html](http://www.nrc.gov/NMSS/IMNS/gi.html) in the near future.

Sincerely,  
 /RA/ Frederick Brown for John Hickey  
 John W. N. Hickey, Chief  
 Materials Safety and Inspection Branch  
 Division of Industrial and  
 Medical Nuclear Safety  
 Office of Nuclear Material Safety  
 and Safeguards

Enclosures: Federal Register Notice, 65 FRN 79162, regarding new rules  
 Federal Register Notice, 65 FRN 79139, regarding enforcement policy  
 Primary regulations applicable to users of 10 CFR 31.5 devices  
 Guidance for 10 CFR 31.5 General Licensees  
 Guidance on Self-Luminous Exits (Q&As)

Distribution:IMNS/ r/f RGordon Pholahan JDavis AHowe

ADAMS ACCESSION NUMBER: ML0101\_\_\_\_\_

ADAMS DOCUMENT TITLE:Letter to Generally Licensed Device Vendors informing them of the final rule on registration of GLs

Publicly Available  Non-Publicly Available  Sensitive  Non-Sensitive

OFFICE	RGB	MSIB	MSIB	MSIB	
NAME	CMattsen*	BTharakan*	FSturz*	JWHickey	
DATE	1/24/01	1/25/01	1/25/01	1/26/01	

**OFFICIAL RECORD COPY** \*See previous concurrence